

## UNITED STATES DISTRICT COURT

for the

Western District of Arkansas

United States of America )

v. )

Frederick O. Bogar )

Case No: 5:01CR50010-001

USM No: 06075-010

Date of Previous Judgment: 07/26/2002 )

Mr. James Pierce

(Use Date of Last Amended Judgment if Applicable) )

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 144 months months is reduced to 117 months.

## I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 31Amended Offense Level: 29Criminal History Category: IIICriminal History Category: IIIPrevious Guideline Range: 135 to 168 monthsAmended Guideline Range: 108 to 135 months

## II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.  
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.  
☐ Other (explain):

## III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 07/26/2002 shall remain in effect.

IT IS SO ORDERED.

Order Date: March 31, 2008

Judge's signature

Effective Date: \_\_\_\_\_

(if different from order date)

U.S. DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FILED

Jimm Larry Hendren, Chief U.S. District Judge

Printed name and title

MAR 31 2008

CHRIS R. JOHNSON, CLERK

BY Gail Bauer  
DEPUTY CLERK